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C O N F I D E N T I A L THE HAGUE 003133

SIPDIS

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IO/PHO (APEREZ), EUR, NSC (GPETERS), TREASURY (JZARETE),
OFAC DIRECTOR (RNEWCOMB) AND TREASURY TASK FORCE ON
TERRORIST FINANCING

E.O. 12958: DECL: 12/17/2013

TAGS: [ECON](#) [EFIN](#) [ETTC](#) [NL](#) [PREL](#) [PTER](#)

SUBJECT: AL QAIDA TRAVEL BAN - NETHERLANDS

REF: STATE 337571

Classified By: Classified by Global Section Head Andrew Mann
for reason 1.4 (d)

1. (C) Summary: The Dutch take their responsibilities under the UN sanction regime seriously and have a "visa lookout" system, albeit with limitations, which incorporates information on individuals listed by the 1267 Committee. Restricting use of Dutch passports for international travel is more problematic. End Summary.

2. (SBU) Global Issues Head delivered demarche (reftel) to Robert van Embden, Head, MFA Judicial and Police Cooperation Division, and Andre van Wiggen, Senior Policy Officer. Van Embden remarked that the Dutch take their responsibilities under UNSC Resolutions 1267, 1390 and 1455 seriously and expressed concern about reports of travel within Europe by individuals designated and listed by the 1267 Committee.

3. (C) Van Wiggen then explained Dutch procedures for reviewing issuance of travel documents. Every month the MFA prepares and sends to all its diplomatic/consular posts a CD-ROM containing names and information on individuals under UN travel restrictions. Each visa applicant is supposed to be checked against this CD-ROM list as well as through the Schengen Information System (SIS). A post is not authorized to issue a visa to any applicant whose name receives a "hit." In such a situation, the file is referred for further consideration to the MFA, which forwards the information to the intelligence service, AIVD, for additional review. The MFA retains final authority for issuing a visa or permitting travel in such cases. Van Wiggen said in some instances, the MFA will decide to issue a visa or permit travel to someone listed on the CD-ROM in order to be able to monitor their movements in the Netherlands. He noted, for example, the Dutch had known in advance of Mullah Krekar's travel to the Netherlands late last year and had not prevented it. This CD-ROM system will remain in effect, these MFA officials said, until the EU's Visa Information System is operational - in a few years. Van Wiggen pointed out two shortcomings in the current system: there is always a month's lag between delivery of the CD-ROMs, so individuals designated and listed by the 1267 Committee have a small window in which to avoid detection under current operations; and, the information from the UN that is used in the CD-ROM is often limited (i.e., maybe a name and birth year or range of years), making an exact match up with an individual difficult.

4. (C) The situation is different for issuing passports. Dutch law grants its citizens an almost absolute right to a passport, according to van Embden and van Wiggen. In addition, passport issuance is handled by local municipalities - not the national authorities. While a Dutch citizen may have the right to a passport, van Embden and van Wiggen noted there was no corresponding right to leave the country. When a person with a Dutch passport crosses the country's external border, they are checked against a national "blacklist" which includes persons with travel restriction under the UN and departure can be denied. Van Wiggen cautioned, however, that under Schengen rules, such a person could freely travel to another country in the Schengen zone and cross its external border, avoiding detection under the Dutch "blacklist" system.

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